

VCAP PROCEDURAL CHANGES FOR SENATE BILL 508 LICENSEE PROHIBITION

For VCAP Users with Inquiry-Only Access



A Training Aid Provided by the North Carolina Judicial Branch | Version April 2017

Table of Contents

- Background ... 2
- Statute ... 2
- Key Changes ... 3
- VCAP* Screens:
 - Statewide Forfeiture Index ... 4
 - Bond Maintenance Menu ... 4
 - Bondsman/Surety Details ... 5
 - Bondsman/Surety List ... 5
 - Issue/Order Details ... 6
 - Issue Details ... 6
 - Forfeiture Index ... 7

*VCAP is an acronym for the N. C. Civil Case Processing System.



Background



The statute preserves the existing surety prohibition: When final judgment is entered on a bond forfeiture, any surety named in that judgment is prohibited from serving as a surety on any new bail bond in the county of judgment until the judgment has been satisfied in full.

In addition ...

Under the SB 508 licensee prohibition, when any individual bail bond licensee (professional bondsmen, bail agent, or runner) is a party to an appearance bond executed on or after December 1, 2016, and that bond is forfeited and reduced to final judgment, that licensee will be prohibited from executing any new bonds anywhere in the State and in any licensed capacity until the judgment is satisfied.

Statute

G.S. 15A-544.7(d)

The italicized text is the new licensee prohibition added by Senate Bill 508 in 2016.

(d) Sureties, Professional Bail Bondsmen, Bail Agents, and Runners May Not Execute Bonds in County.—After a final judgment is docketed as provided in this section, no surety named in the judgment shall become a surety on any bail bond in the county in which the judgment is docketed until the judgment is satisfied in full. *In addition, no professional bail bondsman, bail agent, or runner whose name appears on a bond posted in that person's licensed capacity for which a final judgment of forfeiture has been entered shall sign any bond in any licensed capacity statewide until the judgment is satisfied in full.*



■ Key Changes



Indexing Runners

Prior to SB 508 enactment, clerks were required to index bail agents on a forfeiture when the surety was an insurance company. Indexing a runner for a bond executed by a professional bondsman was not required, but some clerks did so in order to provide the runner with a “courtesy copy” of the forfeiture notice.

As of December 1, 2016, the following rules are in force:

- Runners must be indexed on bond forfeitures they sign. This is required so the new licensee prohibition can be enforced.
- Runners must NOT be indexed on bonds they do NOT sign.

Bond Forfeiture Notice

Before the enactment of SB 508, when forfeiture was entered, a Bond Forfeiture Notice (AOC-CR-213) was mailed to the defendant and any sureties and bail agents named on the bond.

Under the revised statute, runners will also be provided notices of pending forfeitures on bonds they wrote.

Sending notice to a runner is necessary because a judgment that imposes a licensee prohibition on which a runner is indexed will prohibit the runner from signing bonds statewide across all of the runner’s licensed roles.

Form AOC-CR-213

Statewide Forfeiture Index (Judgments)



```

VCSX A0009430666                                VCSX
NC AOC CIS          CIVIL CASE PROCESSING SYSTEM  10/23/16 17:50:21
WAKE                STATEWIDE FORFEITURE INDEX (JUDGMENTS)

LICENSE ID: A 0009430666 SMITH,CHRISTINE,W      PROHIBIT DATE: 100708
                                                    GO TO FORFEITURE INDEX: Y (Y/N)
SELECT USING: I=ISSUE/ORDER, S=JUDGMENT SUMMARY

      FILE NUM  PLDG CNTY  JUDGMT L  BOND  OTHER
      DATE      DATE      DATE      DATE      LICENSE  MOTION
- 08CR 120007  BD A WAKE  100708 A  021408  1,500.00
- 08CR 017307  BD A WAKE  111908 B  011308  1,750.00

GENR00081-RECORD READ SUCCESSFULLY
F1=HELP 3=EXIT 6=LIST 7=BRMD 8=FWD 12=CNCL
    
```

Unlike the Forfeiture Index screen, which displays pending forfeitures as well as forfeiture judgments, this new screen displays only judgments. Users who need to research pending forfeitures in a given county will continue to use the Forfeiture Index screen.

Although insurance companies are not subject to the statewide licensee prohibition, when you view this screen for an insurance company, it shows all unsatisfied judgments statewide against the surety.

LT indicates license type.

Bond Maintenance Menu

```

VCMS                                VCMS
NC AOC CIS          CIVIL CASE PROCESSING SYSTEM  10/23/16 17:47:15
WAKE                BOND MAINTENANCE MENU

TYPE THE NUMBER OF YOUR CHOICE. THEN PRESS ENTER.

CHOICE
1. BONDSMAN/SURETY DETAILS
2. ADD FORFEITURE ORDERS
3. ISSUE DETAILS
4. ISSUE/ORDER DETAILS
5. PARTY DETAILS
6. SERVICE DETAILS
7. SESSION DETAILS
8. SESSION RESULTS
9. BOND REPORT/FORMS REQUEST
10. RELATED CASE INDEX
11. FORFEITURE INDEX
12. STATEWIDE FORFEITURE INDEX

CHOICE:  _
FILE NUMBER:  _
LICENSE ID:  _

PARTY ID:  _

F1=HELP 3=EXIT 9=HOLD 12=CNCL
    
```

This added menu option takes you directly to the new Statewide Forfeiture Index screen.

Bondsman / Surety Details

```

VCBD                                VCBD
NC AOC CIS                          CIVIL CASE PROCESSING SYSTEM    12/09/98 11:29:02
XXXXXXXXXX                            BONDSMAN/SURETY DETAILS

ACTION CODE: I (A,U,D,I)              GO TO FORFEITURE INDEX: X (Y/N)
                                       GO TO STATEWIDE FORFEITURE INDEX: X (Y/N)

LICENSE ID: X 9999999999              STATUS: XXXXXXXXX
                                       DOI PROHIBIT: X [DATE]
                                       STATEWIDE REGISTRY STATUS: XXXX [DATE]
COUNTY REGISTRY: XXX XXXXXXXXXXXXX  COUNTY REGISTRY STATUS: XXXX [DATE]

NAME: XXXXXXXXXXXXXXXXXXXXXXXX2XXXXX3XXXXXXXXX4XXXXXXXXX5XXX
SSN: 999999999 TAX ID: 999999999 MAX BOND AMOUNT: XXXXXXX
ADDR LINE 1: XXXXXXXXXXXXXXXXXXXXXXXX3 COUNTY: 999 XXXXXXXXXX1XX
LINE 2: XXXXXXXXXXXXXXXXXXXXXXXX3 CNTRY: XX
CITY: XXXXXXXXXXXXXXXXXXXXXXXX2XXXXX STATE: NC ZIP: 99999 9999

POAPP NUM: XXXXXXXXX AGENT FOR: X 9999999999 XXXX1XXXXXXXXXX2XXXXXXXXXX3XXX
AGENT FOR STATUS: XXXXXX STATUS DATE: XX/XX/XX

F1=HELP 3=EXIT 4=PROMPT 5=REFRESH 6=LIST 9=HOLD 11=UNDO 12=CNCL
    
```

For bail agents, this screen will offer information that is specific to a single bail agent/insurance company relationship. To see an agent or runner's status with a different principal, the user will go to the Bondsman/Surety List screen and select that agent or runner separately.

For runners, this screen will be specific to a single runner/professional bondsman relationship.

While a statewide prohibition is in place, the licensee will be omitted from the daily Surety Report in every county across all license types.

Press F6 with the cursor in the AGENT FOR STATUS field to view more information.

For bail agents and runners, the screen will display the principal's county and statewide registry status.

Bondsman/Surety List

```

VCBL                                VCBL
NC AOC CIS                          CIVIL CASE PROCESSING SYSTEM    07/18/15 14:04:11
WARREN                              BONDSMAN/SURETY LIST

SELECT: B=BONDSMAN/SURETY DETL F=FORFEITURE INDEX X=STATEWIDE FORFEITURE INDEX
VIEW PROHIBITED ONLY: N (Y/N) SEARCH: SMITH

BONDSMAN/SURETY NAME    LICENSE ID    CNTY    STATUS    DATE
ADDRESS                POAPP NUM    AGENT/RUNNER FOR NAME
- ABC INSURANCE COMPANY I 0000990001  999TR    D 011613
  999 ANY STREET
  ABRAM, MARK, A        A 0016563074  999TR    P 072215
  2422 S NC HWY 119 LOT 17 INTERNATIONAL FIDELITY INSURAN
  ABRAM, MARK, A        A 0016563074  999TR    A
  2422 S NC HWY 119 LOT 17 ALLEGHENY CASUALTY COMPANY
  ABRAM, MARK, A        A 0016563074  999TR    A
  2422 S NC HWY 119 LOT 17 ACCREDITED SURETY AND CASUALTY
  ABRAM, MARK, A        A 0016563074  999TR    P 082415
  2422 S NC HWY 119 LOT 17 1ST ATLANTIC SURETY COMPANY
  ACCREDITED SURETY AND CASUALTY I 0000003244  999TR    A
  999 ANY STREET
  ADAIR-SIDBERRY, DANA, Y R 0008393909  999TR    A
  7109 LOWEN RD        HOLSEY, VERNON, S
                                                                MORE: F

F1=HELP 3=EXIT 7=PKMD 8=FWD 12=CNCL
    
```

This modified screen will display one selectable row per bail agent per associated insurance company or one row per runner per associated professional bondsman.

The Status column indicates whether the individual is allowed to sign bonds in the specified role and county.

View Prohibited Only allows users to display only license types with a P or D status.

Issue / Order Details

```

VCIU 16CR 050123          VCIU
NC AOC CIS              CIVIL CASE PROCESSING SYSTEM    03/03/17 11:21:56
WAVERLY                ISSUE/ORDER DETAILS
16 CR 50123            NC STATE OF VS WEST,VIOLET

ACTION CODE: I (U,I)    FILE NUM: 16 CR 050123    START DATE: _____
                        CASE DISPOSITION DATE: 123016    CODE: FJMT
SELECT USING: I=ISSUES, J=JUDGEMENTS/ABSTRACT, C=CONSOLIDATIONS, T=TRANSFERS
---ISSUE---
-----ORDER-----
PIDG TYPE CLK DT BY PARTY    AGAINST PARTY    CLK DT R X BK PG/
_ BS BDFR 060116 NC STATE OF WEST,VIOLET    123016 GW X JMT 001
                        SCHAFER,RILEY,Q FID    123016 CS    --- ---
                        DUNSTAN,VERNON,Z SRT    123016 ST X JMT 001

GENR0008I-RECORD READ SUCCESSFULLY    MORE:
F1=HELP 3=EXIT 4=PROMPT 5=REFRESH 7=BKWD 8=FWD 9=HOLD 12=CNCL
    
```

If a professional bondsman, bail agent, or runner was the surety or fiduciary on bond with a BOND issue date on or after 12/1/2016, that surety will be subject to a statewide licensee prohibition upon entry of judgment for forfeiture of that bond."

The prohibited status will not change until the last judgment in the State that imposed a licensee prohibition is satisfied, or until the CS (close) order result has been removed for the fiduciary party attached to the runner or bail agent on the last associated prohibiting judgment.

Issue Details

```

VCID 16CR 050123;BD A;BDFR;060116          VCID
NC AOC CIS              CIVIL CASE PROCESSING SYSTEM    03/03/17 11:24:14
WAVERLY                ISSUE DETAILS
16 CR 50123            NC STATE OF VS WEST,VIOLET

ACTION CODE: I (A,U,D,I)    FILE NUM: 16 CR 050123    CASE DISPOSITION DATE: 123016    CODE: FJMT
PLEADING TYPE: BD A    BOND A
ISSUE TYPE: BDFR    BOND FORFEITURE
CLOCK DT: 060116    VIEW/SELECT PARTIES: _
PRTY ISSUE    BY: _    AGAINST: _
ID ROLE PARTY NAME    STATUS
P1 B NC STATE OF
D1 A WEST,VIOLET
P1 A SCHAFER,RILEY,Q
S1 A DUNSTAN,VERNON,Z

CAL DATE: _____ TIME: _____ LOC: _____ BOND TYPE: _
JUDGE: _____ AMOUNT: _____ NUM: _____
GENR0008I-RECORD READ SUCCESSFULLY    MORE:
F1=HELP 3=EXIT 4=PROMPT 5=REFRESH 6=LIST 7=BKWD 8=FWD 9=FWD 11=UNDO
    
```

As a result of SB 508, the clerk will need to be sure that the selected fiduciary is attached to the surety party. This action ensures that the runner (fiduciary party) is indexed as an attached party if their information appears on the appearance bond form (AOC-CR-201).

■ Forfeiture Index

```

VCFX B0000022097          VCFX
NC AOC CIS                CIVIL CASE PROCESSING SYSTEM    10/23/16 17:50:21
WAKE                      FORFEITURE INDEX

LICENSE ID: B 0000022097 CAMP,JAMES,D          PROHIBIT DATE: 100708
GO TO STATEWIDE FORFEITURE INDEX: N (Y/N)
SELECT USING: I=ISSUE/ORDER, S=JUDGMENT SUMMARY

      FILE NUM  PLDG CNTY  JUDGMT  BOND
      _ 08CR 120007 ED A WAKE 100708 X 021408 1,500.00
      _ 08CR 017307 ED A WAKE 111908 X 031308 1,750.00

      BOND AMT  AGENT  MOTION

GENR0008I-RECORD READ SUCCESSFULLY          MORE:
F1=HELP 3=EXIT 6=LIST 7=BYMD 8=FWD 12=CNCL
    
```

This screen will list bond forfeitures for licensed sureties indexed on the Bondsman/Surety Details screen.

The information shown here includes both pending forfeitures and those that have reached final judgment.

The name and content of the AGENT/SURETY column will change according to the licensee. For example, if the LICENSE ID field contains the License ID of an insurance company, the AGENT/SURETY column will be titled AGENT and display "A" for bail agent.

Users will be able to navigate to the Statewide Forfeiture Index screen from here.

The PROHIBIT DATE field will display the earliest prohibit date for the selected LICENSE ID and county.

End of Job Aid